



PATENT
Atty. Docket No.: SSI-02001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13/ Response
on Form
6/6/03

In re Application of

Maximilian A. Biberger

Serial No. 09/841,800

Filed: April 24, 2001

For: **METHOD FOR DEPOSITING
METAL FILM AND METAL
DEPOSITION CLUSTER TOOL
INCLUDING SUPERCRITICAL
DRYING/CLEANING MODULE**

Group Art Unit: 2825

Examiner: Caridad Everhart

**AMENDMENT AND RESPONSE TO
OFFICE ACTION MAILED ON
February 28, 2003**

162 North Wolfe Road
Sunnyvale, CA 94086
(408) 530-9700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REMARKS

Applicant respectfully requests further examination and reconsideration in view of the arguments set forth fully below. Claims 1-46 were previously pending in the instant application. Claims 1-46 are still pending in this application.

Rejections Under 35 U.S.C. § 103(a)

Within the Office Action, Claims 31-46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Patent No. 6,319,858 to Lee et al. (hereinafter "Lee et al."). Specifically, it is stated within the Office Action that Lee et al. disclose a cluster tool which is a multi-chamber tool and comprises a robot for transfer of semiconductor wafers between the chambers. It is further stated within the Office Action that Lee et al. disclose that one of the chambers is a supercritical fluid treatment chamber and one of the chambers is a CVD chamber, which is known to be a vacuum chamber or module.

The Applicant respectfully points out that the reference is not prior art to the current application. The effective filing date for the patent issued to Lee et al. is July 11, 2000. The instant application claims priority from the provisional patent application No. 60/199,580, filed April 25, 2000. Accordingly, the instant application has an effective filing date of April 25, 2000 and precedes the effective filing date of the patent issued to Lee et al. Therefore, Lee et al. can

not be applied as prior art against the claimed invention.


The Applicant respectfully acknowledges the allowance of claims 1-30. For all the reasons given above, the Applicant respectfully submits that Claims 1-46 are in condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 5-28-03

By:


Thomas B. Haverstock
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CERTIFICATE OF MAILING (37 CFR § 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
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Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 5-28-03 By: 